

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

**DOMINIK ZOLKOS, DZIANIS KLIAVETS,
JAMES MCCOY, JOE WALLACE, LIONEL
JONES, MICHAEL KARP, KAROLYN
UNDERWOOD, RONITA FOY, JERRY
ANDERSON, MADI VANESSA SUTTON,
NORMAN MORSE, JOHN ROBERTSON,
ANTHONY GRAY, JOSEPH FENICO, ALIX
PETITHOMME, and WENDY DOBBINS, on
behalf of themselves and all others similarly
situated,**

Plaintiffs,

-against-

**SCRIPTFLEET, INC., f/k/a NETWORK
EXPRESS, PARTSFLEET, INC.,
PARTSFLEET II, INC., FLEETGISTICS
HOLDINGS, INC., and MEDIFLEET, INC.,**

Defendants.

No. 12 Civ. 8230 (GF)

Hon. Gary Feinerman

**UNCONTESTED MOTION FOR EXTENSION OF TIME FOR PLAINTIFFS TO
SUBMIT THEIR MOTION FOR APPROVAL OF ATTORNEYS' FEES AND COSTS,
AND THEIR MOTION FOR APPROVAL OF SERVICE AWARDS; AND MOTION
FOR ENLARGEMENT OF LENGTH OF ATTORNEYS' FEES BRIEF**

Plaintiffs respectfully request that the Court grant Plaintiffs a one week extension of time to present their Motion for Attorneys' Fees and Costs, and their Motion for Service Awards from February 9, 2015 to February 16, 2015. Plaintiffs also respectfully request that the Court enlarge Plaintiffs' page limit for their Motion for Attorneys' Fees from 15 to 25 pages. In support of their uncontested motion, Plaintiffs state as follows.

1. On December 8, 2014, the parties attended a primary settlement approval hearing before the Court.

2. At that hearing, the Court stated that Plaintiffs were to file their motions for attorneys' fees and service awards within 14 days after notice of the proposed settlement went out to potential class members.

3. On January 14, 2014, the Court extended the deadline for the settlement administrator to send out class notice to February 2, 2015, which resulted in a February 9, 2015 deadline for Plaintiffs to file their motion for attorneys' fees and costs and their motion for service awards.

4. Under the terms of the settlement agreement, potential class members have 60 days to object to the terms of the settlement.

5. If the Court allows Plaintiffs to file their motions for attorneys' fees and service awards on February 16, 2015 (a one-week extension), potential objectors will still have 46 days to review Plaintiffs' filings and decide whether to object.

6. Plaintiffs respectfully submit that 46 days is an adequate period for a potential objector to review and decide whether to object to a motion for attorneys' fees and costs and a motion for service awards. *See, e.g., Weeks v. Kellogg Co.*, No 09 Civ. 8102, 2013 WL 6531177, at *22 (C.D. Cal. Nov. 23, 2013) (one week to review a fee application was sufficient, especially given the longer period of time to review the notice of settlement); *In re AT&T Mobility Wireless Data Servs. Sales Tax Litig.*, 789 F. Supp. 2d 935, 968 (N.D. Ill. 2011) (substantially same).

7. Plaintiffs respectfully submit that an enlargement of Plaintiffs' page limit for its motion for attorneys' fees and costs is warranted to give Plaintiffs sufficient space to address the concerns raised by the Court at the December 8, 2014 preliminary approval hearing, and the Seventh Circuit's recent decisions in *Redmond v. RadioShack Corp.*, 769 F.3d 662 (7th Cir.

2014), *Pearson v. NBTY, Inc.*, 772 F.3d 778 (7th Cir. 2014), and *Eubank v. Pella Corp.*, 753 F.3d 718 (7th Cir. 2014).

8. Defendants consent to Plaintiffs' requests.

WHEREFORE, Plaintiffs respectfully request that the Court grant them an extension of time to file their Motion for Attorneys' Fees and Costs, and their Motion for Service Awards from February 9, 2015 to February 16, 2015, and that the Court enlarge Plaintiffs' page limit for their Motion for Attorneys' Fees and Costs from 15 to 25 pages.

Dated: January 29, 2015
New York, New York

Respectfully submitted,

/s/ Justin M. Swartz

OUTTEN & GOLDEN LLP

Justin M. Swartz
3 Park Avenue, 29th Floor
New York, New York 10016
Telephone: (212) 245-1000
Facsimile: (212) 977-4005

and

Paul W. Mollica
61 North Clark Street
Suite 4700
Chicago, Illinois 60601
Telephone: (312) 809-7010
Facsimile: (646) 509-2075

SHAVITZ LAW GROUP, P.A.

Gregg I. Shavitz (*pro hac vice*)
1515 S. Federal Highway
Boca Raton, Florida 33432
Telephone: (561) 447-8888

SANFORD HEISLER, LLP

Michael Palmer (*pro hac vice*)
1350 Avenue of the Americas, 31st Floor
New York, NY 10019
Telephone: (646) 402-5650
Facsimile: (646) 402-5651

*Attorneys for Plaintiffs and the Class and Putative
Collective*